

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1870

H. C. THORNE, JR.,

Plaintiff - Appellant,

v.

HUNTINGTON POLICE DEPT.; W. H. (SKIP) HOLBROOK; PATROLMAN J.
R. GOODMAN; PATROLMAN ANDRE JACKSON,

Defendants - Appellees.

Appeal from the United States District Court for the Southern
District of West Virginia, at Huntington. Robert C. Chambers,
Chief District Judge. (3:12-cv-06280)

Submitted: September 24, 2013

Decided: September 26, 2013

Before NIEMEYER and THACKER, Circuit Judges, and HAMILTON,
Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Hillery C. Thorne, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

H. C. Thorne, Jr., appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2006) complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2013). The magistrate judge recommended that relief be denied and advised Thorne that failure to file timely objections to this recommendation could waive appellate review of a district court order based upon the recommendation.

The timely filing of specific objections to a magistrate judge's recommendation is necessary to preserve appellate review of the substance of that recommendation when the parties have been warned of the consequences of noncompliance. Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985); see also Thomas v. Arn, 474 U.S. 140 (1985). Thorne has waived appellate review by failing to file specific objections after receiving proper notice. Accordingly, we affirm the judgment of the district court.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED